

REMARKS

Summary of Office Action

Prior to this Reply, claims 1-49 were pending in the above-identified patent application. Claims 13-17 and claims 21-49 were withdrawn from consideration. (Applicants respectfully note that the Office Action Summary attached to the March 10, 2004 Office Action identified only claims 1-12 and 18-20 as pending and did not indicate that any claims were withdrawn. Applicants respectfully request that corrected claim disposition information be included in the next Office Action.)

Claims 1-12 and 18-20 were rejected under 35 U.S.C. § 102(b) as being anticipated by Lesh et al. U.S. Patent 6,152,144 (hereinafter "Lesh").

Applicants' Reply

Reconsideration and allowance of this application in light of the following remarks are respectfully requested.

Applicants respectfully note that the Examiner has not returned an initialed copy of a Form PTO-1449 filed on January 2, 2002. Applicants respectfully request that the Examiner return such a copy. (A copy of the Form PTO-1449 is enclosed for the convenience of the Examiner.)

Claims 2-12 depend, either directly or indirectly, from claim 1. Applicants have amended claim 1 to include a membrane tube having a second closed end. In the March 10, 2004 Office Action, the Examiner rejected claim 3, which is directed to a device comprising a second closed end, over Lesh. However, the Examiner did not state or suggest that Lesh teaches a second closed end. Applicants respectfully submit that Lesh does not show or suggest a second closed end. Applicants respectfully submit that a linear feature on the right side of a device shown in partial section (Lesh, col. 6, ln 49) in Lesh FIG. 7 is not a closed end, but an elevational view of the right edge of an open-ended cylindrical sheath (72). Applicants respectfully submit, therefore, that the amendment of claim 1 overcomes the Examiner's rejections of claims 1-2 and claims 4-12. Applicants have canceled claim 3.

Claims 19 and 20 depend directly from claim 18. Applicants have amended claim 18 to more particularly point out that the filter element is disposed on the membrane. Applicants respectfully submit that Lesh does not show or suggest a filter element disposed on a membrane. Applicants respectfully submit that the amendment of claim 18 overcomes the Examiner's rejections of claims 18-20.

Conclusion

For at least the reasons set forth above, applicants respectfully submit that this application is in condition for allowance. Reconsideration and prompt allowance of this application are respectfully requested.

Respectfully submitted,



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Applicant Thomas E. Borillo et al.

Serial No.: 09/932,512 Filed August 17, 2001

Receipt is hereby acknowledged of the

Information Disclosure Statement (in duplicate); PTO-1449 (in duplicate); copies of cited references.

Dated January 2, 2002

Filed in connection with the above case

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MJT/00593.004



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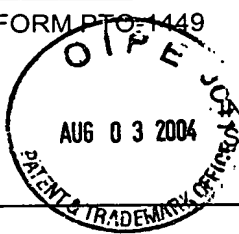
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INFORMATION DISCLOSURE
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U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
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	1,967,318	07/24/1934	Monahan	128	227	
	3,844,302	10/29/1974	Klein	135	26	
	3,874,388	04/01/1975	King et al.	128	334 R	
	4,007,743	02/15/1977	Blake	128	334	
	4,341,218	07/27/1982	Ü	128	325	
	4,585,000	04/29/1986	Hershenson	128	345	
	4,603,693	08/05/1986	Conta et al.	128	305	
	4,665,906	05/19/1987	Jervis	128	92	
	4,710,192	12/01/1987	Liotta et al.	623	1	
	4,917,089	04/17/1990	Sideris	606	215	
	4,921,484	05/01/1990	Hillstead	604	104	
	5,041,090	08/20/1991	Scheglov et al.	604	101	
	5,041,093	08/20/1991	Chu	604	104	
	5,042,707	08/27/1991	Taheri	606	213	
	5,053,009	10/01/1991	Herzberg	604	104	
	5,064,435	11/12/1991	Porter	623	12	
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	5,108,420	04/28/1992	Marks	606	213	
	5,171,259	12/15/1992	Inoue	606	213	
	5,176,692	01/05/1993	Wilk et al.	606	151	
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	5,284,488	02/08/1994	Sideris	606	213	
	5,306,234	04/26/1994	Johnson	604	49	
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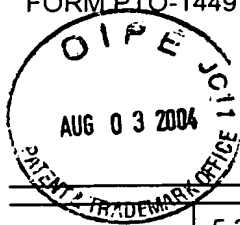
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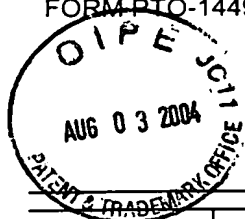
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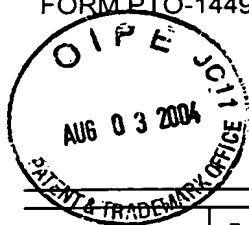
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	6,136,016	10/24/2000	Barbut et al.	606	200	
	6,139,527	10/31/2000	Laufer et al.	604	114	
	6,152,144	11/28/2000	Lesh et al.	128	898	
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FILING DATE
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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	WO 00/27292	05/18/2000	PCT	A61B	17/08		
	WO 93/13712	07/22/1993	PCT	A61B	17/00		
	WO 01/21247	03/29/2001	PCT	A61M	29/00		
	WO 98/17187	04/30/1998	PCT	A61B	17/36, 8/00		
	WO 97/28749	08/14/1997	PCT	A61B	17/068		
	WO 99/07289	02/18/1999	PCT	A61B	17/00		
	WO 99/08607	02/25/1999	PCT	A61B	17/12		
	WO 99/30640	06/24/1999	PCT	A61F	2/06		

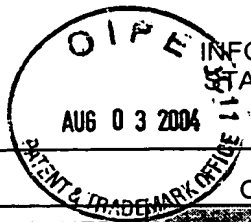
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		APPLICANT Borillo et al.	
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER INITIAL	
	Cragg et al., "Nonsurgical Placement of Arterial Endoprosthesis: A New Technique Using Nitinol Wire," <u>Radiology</u> Vol. 147, No. 1, Pages 261-263, April 1983.
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